

REMARKS

This Amendment is submitted simultaneously with filing of the Request for Continuing Examination.

In connection with the Examiner's arguments presented in the Advisory Action and in the Final Office Action, the claims currently on file have been amended, to more clearly define the present invention and to distinguish it from the prior art.

It is respectfully submitted that the new features of the present invention which are now defined in the claims clearly and patentably distinguish the present invention from the references applied by the Examiner.

In accordance with the present invention as defined in the independent claims, a device for securing an add-on part 10 to a substantially smooth drive shaft 12 is provided, in which the slaving element 14 is seated in a manner fixed against relative rotation on the drive shaft 12 and transmits a rotary motion from the drive shaft 12 to the add-on part 10.

The patent to Savage, et al does not teach these features of the present invention.

The Examiner indicated that in his opinion the patent to Savage discloses a device for securing an add-on part 10 to a drive shaft 34, having a slaving element 42, 26, 28, 30 which is seated in a manner fixed against relative rotation of the drive shaft and transmits a rotary motion from the drive shaft to the add-on part. Applicant has to respectfully disagree with this position for the following reasons.

If the Examiner considers the nut 42 of the device disclosed in the patent to Savage to be a slaving element, which is definitely wrong, then this slaving element would not be seated on the drive shaft in a manner fixed against relative rotation. As can be clearly seen from the patent to Savage, the nut 42 is screwed on the end of the shaft. This is clearly explained in a part of the description of the patent to Savage, from column 2, lines 64 to column 3 line 11. The nut is screwed on a thread and can be turned again. The nut thereby is not arranged in a manner fixed against relative rotation to the thread of the shaft. Therefore the slaving element, which in accordance with the interpretation of the Examiner is composed of the components 42 and 28, is not arranged on the drive shaft in a manner fixed against relative rotation, contrary to the slaving element 14 in accordance with the applicant's

invention as defined currently in the independent claims. Also, the nut 42 of the device disclosed in the patent to Savage does not transmit any rotary motion to the add-on part. This feature is not disclosed in the patent to Savage.

In the inventive device for securing an add-on part 10 to a substantially smooth drive shaft 12, the slaving element 13 which is seated in a manner fixed against relative rotation on the drive shaft 12 and transmits a rotary motion from the drive shaft 12 to the add-on part 10 is formed as a one-piece slaving element. This feature of the present invention as now defined in the amended independent claims is also not disclosed in the patent to Savage. This feature completely contradicts the Examiner's interpretation of the slaving element, which in his opinion is composed of two components 42 and 28.

The original claims were rejected over the patent to Savage as being anticipated. In connection with this, it is believed to be advisable to cite the decision in re Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co., 221 USPQ 481, 485 (Fed. Cir. 1984) in which it was stated:

"Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim."

Definitely, the patent to Savage does not disclose each and every element as defined now in the independent claims, in particular the elements which were specified in detail herein above.

Therefore it is believed that the anticipation rejection should be considered as no longer tenable and should be withdrawn.


The independent claims currently on file, together with the dependent claims which share the corresponding allowable features, should be considered as patentably distinguishing over the art and should be allowed.

Reconsideration and allowance of the present application is most respectfully requested.

Should the Examiner require or consider it advisable that the specification, claims and/or drawings be further amended or corrected in formal respects in order to place this case in condition for final allowance, then it is respectfully requested that such amendments or corrections be carried out by Examiner's Amendment, and the case be passed to issue. Alternatively, should the Examiner feel that a personal discussion might be

helpful in advancing this case to allowance, he is invited to telephone the undersigned (at 631-549-4700).

Respectfully submitted,



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